



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

#4

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
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08/478,748 06/07/95 WALDMANN T 2026-4003US3

0252/0814

MORGAN & FINNEGAN  
345 PARK AVENUE  
NEW YORK NY 10154

DATE MAILED: 0000

**NOTICE TO FILE MISSING PARTS OF APPLICATION** 08/14/95  
**FILING DATE GRANTED**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130.00 for large entities or \$ 65.00 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a  large entity,  small entity (verified statement filed), is \$ 130.00.

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1.  The statutory basic filing fee is:  missing  insufficient. Applicant as a  large entity  small entity, must submit \$ \_\_\_\_\_ to complete the basic filing fee.

2.  Additional claim fees of \$ \_\_\_\_\_ as a  large entity,  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

3.  The oath or declaration:

is missing.

does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4.  The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5.  The signature(s) to the oath or declaration is/are:  missing;  by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

6.  The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7.  The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ \_\_\_\_\_ under 37 CFR 1.17(k), unless this fee has already been paid.

8.  A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).

9.  Your filing receipt was mailed in error because your check was returned without payment.

10.  The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

11.  Other.

Direct the response to Box Missing Part and refer any questions to the Customer Service Center

*• returned with the response.*

ED WITH RESPONSE



PATENT  
Docket No. 2026-4003US3

*A/W*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Waldmann, T.A. Group Art Unit: To Be Assigned  
Serial No. : 08/478,748 Examiner: To Be Assigned  
Filed : June 07, 1995  
For : METHOD FOR TREATING MALIGNANCY AND  
AUTOIMMUNE DISORDERS IN HUMANS

*HS*  
*LMT (151)*  
*SP*  
*1/23/96*

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

*NOV 02 1995*

*LICENSING & REVIEW*

Sir:

I hereby certify that the attached Declaration Pursuant to 37 C.F.R. §1.68; Transmittal Letter; Copy of Notice and Return Postcard

along with any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By: *Dorothy R. Auth*  
Dorothy R. Auth

Date: September 15, 1995

Mailing Address:

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800  
(212) 751-6849 Telecopier

FORM: CERTMAIL.NY  
Rev. 3/27/95



PATENT  
Docket No. 2026-4003US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Waldmann, T.A. Group Art Unit: To Be Assigned  
Serial No. : 08/478,748 Examiner: To Be Assigned  
Filed : June 07, 1995  
For : METHOD FOR TREATING MALIGNANCY  
AND AUTOIMMUNE DISORDERS IN HUMANS

TRANSMITTAL LETTER

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231  
ATTENTION: LICENSING AND REVIEW

Sir:

In response to the Notice dated August 08, 1995, Applicant herewith submits an executed Declaration under 37 C.F.R. §1.68 as required by the Notice.

The Declaration provides averments relating to the facts concerning the circumstances under which the invention was made and conceived. Additionally, the declaration states that there is no relationship of the invention to the performance of any work under any contract or other arrangement with the United States Atomic Energy Commission, Energy Research and Development Administration or the Department of Energy.

It is believed that the requirements of the notice are met and no formal requirement is necessary.

No fee is believed to be necessary.

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4003US3.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition and for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposition Account No. 13-4500, Order No. 2026-4003US3.

A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN

  
\_\_\_\_\_  
Dorothy R. Auth  
Registration No. 36,434

Dated: September 14, 1995

MORGAN & FINNEGAN  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800  
(212) 751-6849 Telecopier

CASE 2770-4003US3

DNA

DUE DATE

SEPTEMBER 30, 1995

STATUTORY

DATE

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER 08/478,748	FILING DATE 6/7/95	FIRST NAMED APPLICANT T. WALDMANN ET AL.	ATTY. DOCKET NO. 2026-4003US3
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MORGAN & FINNEGAN  
345 PARK AVENUE  
NEW YORK, NY 10154

RECEIVED  
C.C. ALT. DEPT.

AUG 10 1995

EXAMINER

ART UNIT

PAPER NUMBER

2

MORGAN &amp; FINNEGAN

DATE MAILED: 08 AUG 1995

IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN **FORTY-FIVE DAYS**, A  
FORMAL REQUIREMENT WILL BE ISSUED

The subject matter of this application appears to:

be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).

"have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 308-3312.

PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE  
ATTENTION OF LICENSING AND REVIEW



PATENT  
Docket No. 2026-4003US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Waldmann, T.A. Group Art Unit: To Be Assigned  
Serial No. : 08/478,748 Examiner: To Be Assigned  
Filed : June 07, 1995  
For : METHOD FOR TREATING MALIGNANCY AND  
AUTOMMUNE DISORDERS IN HUMANS

TRANSMITTAL OF DECLARATION PURSUANT TO 37 C.F.R. § 1.53(d)

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Transmitted herewith is a declaration for the above-identified application.

The surcharge, pursuant to 37 C.F.R. § 1.16(e), for filing a declaration on a date later than the filing date of the application is as follows:

Filing by a small entity  
\$65.00

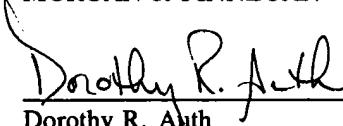
Filing by other than a small entity  
\$130.00

Charge fee to Deposit Account No. 13-4500. Order No. \_\_\_\_\_  
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

A check in the amount of \$130.00 to cover the surcharge is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 13-4500. Order No. 2026-4003US3.  
A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN

  
Dorothy R. Auth  
Registration No. 36,434

Date: September 14, 1995

MORGAN & FINNEGAN  
345 Park Avenue  
New York, New York 10154  
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(212) 751-6849 Telecopier

FORMS: DEC-TRAN.NY  
Rev. 1/1/93



PATENT  
Docket No. 2026-4003US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Waldmann, T.A. Group Art Unit: To Be Assigned  
Serial No. : 08/478,748 Examiner: To Be Assigned  
Filed : June 07, 1995  
For : METHOD FOR TREATING MALIGNANCY AND  
AUTOIMMUNE DISORDERS IN HUMANS

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

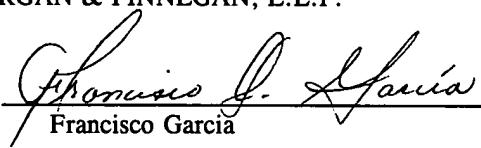
Sir:

I hereby certify that the attached Combined Declaration and Power of Attorney; Transmittal Letter;  
Transmittal of Declaration Pursuant to 37 C.F.R. §1.53(d); Check in the amount of \$130; Copy of Notice of  
Missing Parts and Return postcard

along with any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By:   
Francisco Garcia

Date: September 14, 1995

Mailing Address:

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154  
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Rev. 3/27/95

PATENT



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Docket No. 2026-4003US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Waldmann, T.A. Group Art Unit: To Be Assigned  
Serial No. : 08/478,748 Examiner: To Be Assigned  
Filed : June 07, 1995  
For : METHOD FOR TREATING MALIGNANCY AND  
AUTOIMMUNE DISORDERS IN HUMANS

TRANSMITTAL LETTER 030

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

In response to the Notice of Missing Parts dated August 14, 1995, Applicant herewith submits the executed Declaration, and a check in the amount of \$130.

No additional fees is believed to be necessary.

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4003US3.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition and for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposition Account No. 13-4500, Order No. 2026-4003US3.

A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN

  
Dorothy R. Auth

Registration No. 36,434

Dated: September 14, 1995

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New York, New York 10154  
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